

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICKY GIBB,

Defendant.

No. 13-cr-30170-DRH-1

ORDER

HERNDON, District Judge:

Pending before the Court is defendant's *pro se* motion for appointment of counsel and motion to reduce sentence pursuant to Amendment 782 (Doc. 201). After reviewing the record, the Court finds that defendant is clearly not entitled to the relief he seeks. Amendment 782 became effective on November 1, 2014. The Court sentenced defendant on May 8, 2015, and during the sentencing the Court utilized the 2014 Sentencing Guidelines, incorporating all guideline amendments, to determine defendant's offense level. Again, Amendment 782 was in effect at the time of defendant's sentencing and defendant received the benefit of the amendment at the time of sentencing. Therefore, the Court **DENIES** the motion for appointment of counsel and motion for reduction of sentence pursuant Amendment 782 (Doc. 201).

IT IS SO ORDERED.

David Herndon



Judge Herndon

2018.03.20

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United States District Judge